GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Environment, Forests, Science & Technology Department – Diversion of 0.99 ha of forest land in compartment No.4, Nizampatnam RF, Guntur Division for extension of Quay/Jetty of existing Fishery Harbor, Nizampatnam during Phase-II development in favour of Managing Director, APMIDCL, Vijayawada – Final approval - Accorded.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section-II) DEPARTMENT

G.O.MS.No. 37 **Dated: 20-09-2024**

Read the following:-

1)From the PCCF&HoFF (FAC), A.P. Lr.Ref.No.EFS02-15024/2/2021-FCA SEC-PCCF/FCA-3, dated 09.08.2022.
2)State Govt.Lr.No.1923/Sec.II/2022, E.F.S. & T. (Sec.II) Dept.,dated 08.09.2022
3)From GoI, MoEF& CC, IRO, Vijayawada, Lr.No.4-APB187/2022-VIJ/574, dated 22.09.2022.
4)From the PCCF & HoFF, Lr.Ref.No.EFS02-15024/2/2021-FCA SEC-PCCF/FCA-3, dated 31.07.2024.
5)State Govt.Lr.No.1923/Sec.II/2022/1818528, EFS&T(Sec.II) Dept., dated 04.08.2024.
6)From GoI, MoEF& CC, IRO, Vijayawada, Lr.No.4-APB187/2022-VIJ/455, dated 20.08.2024.

*****

ORDER:

In the letter 1st read above, the Principal Chief Conservator of Forests & HoFF, Andhra Pradesh, has submitted a proposal for seeking prior approval of the Central Government under section-2 of Forest (Conservation) Act, 1980 for "diversion of 0.99 ha of forest land in compartment No.4, Nizampatnam RF, Guntur Division for extension of Quay/Jetty of existing Fishery Harbor, Nizampatnam during Phase-II development in favour of Managing Director, APMIDCL, Vijayawada" and the same has been sent to the Government of India, Ministry of Environment & Forests, Integrated Regional Office, Vijayawada for according in-principle approval under section-2 of Forest (Conservation) Act, 1980 in the letter 2nd read above.

2. In the letter 3rd read above, the Government of India, Ministry of Environment & Forests, Integrated Regional Office, Vijayawada have accorded "in-principle approval" under section-2 of Forest (Conservation) Act, 1980, for the above proposal, subject to fulfillment of relevant conditions stipulated therein.

3. In the letter 4th read above, the PCCF & HoFF, A.P., has furnished compliance report on the conditions stipulated in the in-principle approval for onward submission to the GoI, MoEF&CC, Regional Office, Chennai, Sub-office at Vijayawada for according 'Final approval U/s. section-2 (1) of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for the proposal and the same has been forwarded to the GoI, MoEF & CC, RO, Chennai, Sub-office at Vijayawada for according 'Final' approval to the proposal in the letter 5th read above.

4. In the letter 6th read above, the Government of India, Ministry of Environment, Forests & Climate Change, Regional Office, Chennai, Sub-office at Vijayawada have accorded "Final approval" under section-2(1) of the Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 for "diversion of 0.99 ha of forest land in compartment No.4, Nizampatnam RF, Guntur Division for extension of Quay/Jetty of existing Fishery Harbor, Nizampatnam during Phase-II development in favour of Managing Director, APMIDCL, Vijayawada", subject to fulfillment of certain conditions stipulated therein.

5. Government, after careful examination of the proposal, hereby accord permission to the PCCF & HoFF, A.P., for "diversion of 0.99 ha of forest land in compartment no.4, Nizampatnam RF, Guntur Division for extension of Quay/Jetty of existing Fishery Harbor, Nizampatnam during Phase-II development in favour of Managing Director, APMIDCL, Vijayawada", subject to fulfillment of the following conditions:-

i. Legal status of the diverted forest land shall remain unchanged;
ii. Demarcation of the proposed forest area shall be carried out by erecting 4 feet high cement concrete pillars duly numbered at an interval of 20 meters at the cost of the User Agency;
iii. The State Forest Department shall carry out compensatory afforestation (ten times the tee to be felled in the proposed area for diversion i.e. 53X10=530 numbers of plants) in the degraded forest land identified in Compt.No.371, Gorrepadu Beat of Vadapalem Section in Chirala Range at the cost of the User Agency;
iv. In addition to above mandatory CA plantation, State Forest Department may carryout plantation of mangrove plantation wherever possible around diverted area at the cost of the User Agency;
v. No residential building shall be constructed in the diverted forest area;
vi. The User Agency shall obtain EC / CRZ clearance, if applicable to the Project;
vii. As proposed by the DFO, Guntur Forest Division, the State Forest Department may take up Chain link fencing along the boundary of RF area, containing mangrove growth, adjoining the proposed diversion area and erection of signage/display boards on conservation of Wildlife and forest protection, at the cost of the User Agency;
viii. Additional amount of the Net Present Value (NPV) of the diverted forest land if any, becoming due after revision of the same by the Hon'ble Supreme Court of India in future, shall be charged by the State Government from the User Agency;
ix. Felling of trees shall be carried out wherever necessary and with strict supervision of State Forest Department. The User Agency shall carry out translocation of trees wherever feasible in consultation with DFO concerned, at the project cost;
x. The dug-out material / overburden shall be dumped outside the forest area. Storage of any material shall not be done in the forest area;
xi. The layout plan of the proposal shall not be changed without the prior approval of the Central Government;
xii. The User Agency shall provide fire wood preferably alternate fuel to labourers working at the site to avoid damage/tree felling and no labour camp shall be established inside the forest area;
xiii. Disturbance shall be kept minimum by creating labour camps outside the forest area as far as possible and it shall be the responsibility of the User Agency to ensure that the labourers & staff engaged in execution of work do not destruct nearby forest flora & fauna;
xiv. The total forest area utilized for the project shall not exceed 0.99 ha and the forest area diverted shall not be used for any purpose other than those shown in the diversion proposal;
xv. The forest land proposed for diversion shall under no circumstances be transferred or sublet to any other agency, department or person without prior approval of the Central Government;
xvi. The User Agency and the State Government shall ensure compliance to provisions of the all Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project;
xvii. No new path or road shall be formed while execution of the project work;
xviii. Any other conditions that the Central Government may impose from time to time in the interest of afforestation, conservation and management of flora and fauna in the area, shall be complied by the User Agency;

xix. Violation of any of these conditions will amount to violation of Van (Sanrakshan Evam Samvardhan) Adhiniyam, 1980 and action would be taken as prescribed under the Act, Rules and Guidelines relevant.

6. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

G ANANTHA RAMU
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The PCCF & HoFF, A.P.,
Mangalagiri, Guntur Dist.,
Copy to:
The Inspector General of Forests,
ROHQ, MoEF&CC,
Indira Paryavaran Bhavan,
Jor Bagh Road, Aliganj,
New Delhi – 110 003.

The Assistant Inspector General of Forests (Central),
GoI, MoEF&CC, Sub-office at Vijayawada of
Regional Office, Chennai, Green House Complex,
Gopal Reddy Road, Vijayawada – 520 010.

The Managing Director,
AP Maritime Infrastructure Development Corporation,
Vijayawada.
SC/SF (Computer No.1818528)

//FORWARDED::BY ORDER//

SECTION OFFICER